

Filed in Court
11/17/05
CMA

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

Criminal Case No. 03-10234-MLW

v.

JOSHUA GOLDSMITH

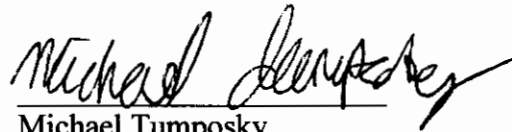
Defendant.

AFFIDAVIT OF COUNSEL

I, Michael Tumposky, do hereby swear and depose the following:

1. I am an attorney duly licensed in the State of Massachusetts and the United States District Court for the District of Massachusetts.
2. I am co-counsel for the Defendant Joshua Goldsmith in the above-entitled matter.
3. I was aware that court proceedings were scheduled to begin at 9:00 AM this morning, November 17, 2005.
4. On this day, I left my house at a time which would normally permit me to arrive at the federal courthouse by 9:00 AM.
5. However, during my commute I encountered two construction detours which added to my driving time.
6. Upon arrival at the parking lot, I was delayed further by an unusually long line waiting to enter through the gate.

Signed under the pains and penalties of perjury on this the 17th day of November, 2005.



Michael Tumposky
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